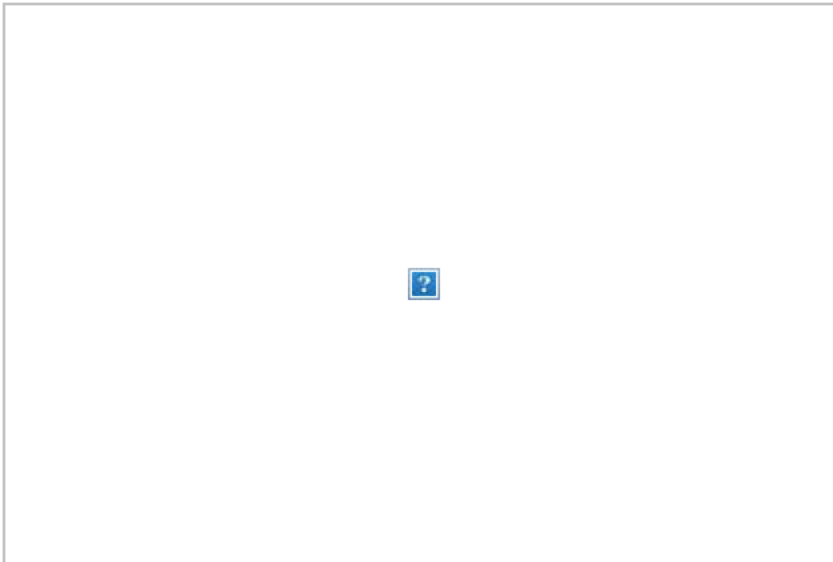


From: [Sean Buck](#) on behalf of [Sean Buck](#) (b) (6)
To: [Timika Lindsay](#)
Cc: [James Bates](#); [Steve Vahsen](#); [Mamudu Cole](#); [Joe Thomas](#); [Alana Garas](#); (b) (6) (b) (6)
Subject: Re: A likely source of why D&I is where it is today
Date: Thursday, October 8, 2020 10:35:23 AM

Thank you for sharing this and giving me some much needed perspective and clarity. I am off to the 3*/4* conference. I surely hope to bring back even more perspective from SECNAV and CNO.

v/r Sean



On Thu, Oct 8, 2020 at 8:34 AM Timika Lindsay (b) (6) wrote:
Good morning Admiral,

As I continue to ponder my/our "operational pause" in most D&I initiatives, I can't help but think of how we got here...then I remembered an article I read this summer regarding an Army training announcement that had gone terribly wrong.

<https://www.militarytimes.com/news/your-military/2020/07/09/army-investigates-handout-suggesting-trump-campaign-slogan-constitutes-covert-white-supremacy/>

The attached article is from Congressman Mo Brooks' website where, and rightfully so, some of the training themes were divisive in nature, and contrary to the Inclusion efforts we all strive to make. The most disturbing is the triangle image and the words that define what white supremacists say overtly and covertly...

<https://brooks.house.gov/media-center/news-releases/congressman-mo-brooks-sus-army-must-prosecute-fire-redstone-arsenal-army>

It's grave mistakes like these that put a crush on all of the good efforts we are striving for. It's unfortunate, but hopefully some clarity and common sense will prevail soon.

Very Respectfully,

Timi

CAPT Timika B. Lindsay, USN

Chief Diversity Officer

Director, Equal Employment Opportunity (EEO) (Acting)

United States Naval Academy

(b) (6)

usna.edu/diversity

From: [James Bates](#) on behalf of [James Bates](#) (b) (6)
To: [Timika Lindsay](#)
Subject: Fwd: CIVILIAN HUMAN RSOURCES POLICY: Implementation of Executive Order on Combating Race and Sex Stereotyping
Date: Tuesday, September 29, 2020 5:11:55 PM
Attachments: [Executive Order on Combating Race and Sex Stereotyping 09.22.pdf](#)
[20200924_UAG_EO Memo_v8_clean \(OGC informal\).docx](#)

Timi,

FYSA...

Also, Supe called before boarding his flight and I very briefly briefed him on the memo sent out last night and the churn this morning. Ironically, Bull Holsey is on the flight with him, so he is going to see what insight he has.

v/r - Goat



----- Forwarded message -----

From: (b) (6)
Date: Tue, Sep 29, 2020 at 2:30 PM
Subject: Fwd: CIVILIAN HUMAN RSOURCES POLICY: Implementation of Executive Order on Combating Race and Sex Stereotyping
To: James Bates (b) (6)

COS:

Sent from OCHR via HR...DON guidance is clear...it is a pause for all training until they let us know. |

R (b) (6)

(b) (6)

Counsel
United States Naval Academy
121 Blake Road
Annapolis, Maryland 21402-1300
Office: (b) (6)
Fax: (b) (6)

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

----- Forwarded message -----

From: (b) (6)
Date: Tue, Sep 29, 2020 at 8:00 AM
Subject: Fwd: CIVILIAN HUMAN RSOUCES POLICY: Implementation of Executive Order on Combating Race and Sex Stereotyping
To: (b) (6)

(b) (6),

I got this from OCHR last night. Today at noon we are doing a virtual supervisory course. One of the modules is on EEO. (b) (5)

V/r

(b) (6)

HR Director
U.S. Naval Academy

(b) (6)

----- Forwarded message -----

From: **RingerMendoza, Sandra LEA (Sandy) SES USN OCHR WASHINGTON DC (USA)** (b) (6)
Date: Mon, Sep 28, 2020 at 5:29 PM
Subject: CIVILIAN HUMAN RSOUCES POLICY: Implementation of Executive Order on Combating Race and Sex Stereotyping
To:

BCC FOR ACTION: DCHRs/Deputies/HRDs/Deputies/Satellite Managers/ DEEO/DDEEO

BCC FOR INFO: Ops Center Directors/Deputies, OCHR Principals/Program Managers/Command Training Representatives

Colleagues,

BLUF: The President has issued an Executive Order (EO) on Combating Race and Sex Stereotyping (attached). The purposes of the EO include promoting unity in the Federal workforce and combating offensive and anti-American race and sex stereotyping and scapegoating. The attached OMB memorandum provides direction to Department of the Navy Agencies to ensure compliance with the requirements of the EO.

BACKGROUND: On September 4, 2020 the President directed Federal Agencies to cease and desist from any training on critical race theory, white privilege, or any other training propaganda effort that teaches or suggests either 1) that the United States is an inherently racist or evil country or 2) that any race or ethnicity is inherently racist or evil.

ACTION: All DON agencies will immediately suspend civilian personnel training on Equal Employment Opportunity, Diversity and Inclusion, and related matters. Prior to resuming such training, it must be reviewed and cleared by the Office of Personnel Management for compliance with the Executive Order and certified as compliant by the DON Inspector General.

We will forward additional guidance as it is made available.

ADDITIONAL INFORMATION: Please feel free to contact my POC (b) (6) if you have questions.

V/R, Sandy

Sandy Ringer Mendoza

Director, HR Policy and Programs

Office of Civilian Human Resources

ASN(M&RA)

Gov't Phon (b) (6)
Gov't Cell: (b) (6)

From: [James Bates](#) on behalf of [James Bates](#) (b) (6)
To: [Andrew Phillips](#); (b) (6)
Cc: [Timika Lindsay](#); (b) (6) [Joe Rubino](#); (b) (6) (b) (6)
Subject: Fwd: CIVILIAN HUMAN RESOURCES POLICY: Implementation of Executive Order on Combating Race and Sex Stereotyping
Date: Friday, October 2, 2020 9:22:04 AM
Attachments: [Executive Order on Combating Race and Sex Stereotyping 09.22.pdf](#)
[20200924_UAG_EO Memo_v8_clean \(OGC informal\).docx](#)

Team,



This training shall be postponed until such a time that it can be properly reviewed.
We can't get sideways on this issue or all the good work being done will be negated.

v/r - COS



----- Forwarded message -----

From: (b) (6)
Date: Tue, Sep 29, 2020 at 2:30 PM
Subject: Fwd: CIVILIAN HUMAN RESOURCES POLICY: Implementation of Executive Order on Combating Race and Sex Stereotyping
To: James Bates (b) (6)

COS:

Sent from OCHR via HR...DON guidance is clear...it is a pause for all training until they let us know. |

[Redacted line]

R/ (b) (6)

(b) (6)
Counsel
United States Naval Academy
121 Blake Road
Annapolis, Maryland 21402-1300
Office: (b) (6)
Fax: (b) (6)

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To: (b) (6)

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V/r

(b) (6)
HR Director
U.S. Naval Academy
(b) (6)
(b) (6)

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Date: Mon, Sep 28, 2020 at 5:29 PM
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V/R, Sandy

Sandy Ringer Mendoza

Director, HR Policy and Programs

Office of Civilian Human Resources

ASN(M&RA)

Gov't Phone: (b) (6)

Gov't Cell: (b) (6)

From: [James Bates](#) on behalf of [James Bates](#) (b) (6)
To: (b) (6)
Cc: [Alana Garas](#); [Andrew Phillips](#); (b) (6); (b) (6); [LCDR USN OLA WASHINGTON DC \(USA\)](#); [F. \(b\) \(6\)](#); (b) (6); [Joe Thomas](#); (b) (6); (b) (6); (b) (6); [CDR USN DCNO N7 \(USA\)](#); [Steve Vahsen](#); (b) (6)
Subject: Re: [Non-DoD Source] Re: FW: Teaching of Critical Race Theory at the Service Academies
Date: Thursday, June 10, 2021 9:00:42 PM

(b) (6),

Based on feedback from the team...CRT is not currently offered, nor do we plan to offer it, at USNA.

v/r - COS

On Thu, Jun 10, 2021 at 15:29 (b) (6) <(b) (6)> wrote:

(b) (5)

V/R (b) (6)

From: (b) (6) LCDR USN OLA WASHINGTON DC (USA) (b) (6)
Sent: Thursday, June 10, 2021 3:22 PM
To: James Bates (b) (6); (b) (6)
Cc: Alana Garas (b) (6); (b) (6); Steve Vahsen
<(b) (6)>; Herbert Lacy (b) (6); (b) (6)
(b) (6) CDR USN DCNO N7 (USA) (b) (6) (b) (6)
(b) (6)
Subject: RE: [Non-DoD Source] Re: FW: Teaching of Critical Race Theory at the Service Academies

Sir,

(b) (5)

Very Respectfully,

LCDR (b) (6), PHR

(b) (6)

Office of Legislative Affairs

From: James Bates (b) (6) >

Sent: Thursday, June 10, 2021 3:09 PM

To: (b) (6) (b) (6) >

Cc: Alana Garas (b) (6); (b) (6); Steve Vahsen

(b) (6) Herbert Lacy (b) (6) (b) (6) >;

(b) (6) CDR USN DCNO N7 (USA) (b) (6); (b) (6) LCDR

USN OLA WASHINGTON DC (USA) (b) (6) (b) (6)

(b) (6)

Subject: [Non-DoD Source] Re: FW: Teaching of Critical Race Theory at the Service Academies

+ Provost Phillips and AP (b) (6)

(b) (5)

v/r - COS

On Thu, Jun 10, 2021 at 2:58 PM (b) (6) (b) (6) wrote:

(b) (5)

V/R (b) (6)

(b) (6)

Director Gov't Affairs

and Deputy Public Affairs Officer

U.S. Naval Academy

(o) (b) (6)

(cel) (b) (6)

From: (b) (6) LCDR USN OLA WASHINGTON DC (USA)

(b) (6)

Sent: Thursday, June 10, 2021 2:47 PM

To: (b) (6) CDR USN ASSTSECNAV MRA DC (USA)

(b) (6); (b) (6) CAPT USN DCNO N7 (USA)

(b) (6)

Cc: (b) (6) (b) (6) (b) (6) CIV USN ASSTSECNAV

MRA DC (USA) <(b) (6)> (b) (6)

CIV NAVY ASN (M&RA) (USA) <(b) (6)>

Subject: FW: Teaching of Critical Race Theory at the Service Academies

Sir, Ma'am,

Please see below. Going in CIMS shortly.

Very Respectfully,

LCDR (b) (6), PHR

(b) (6)

Office of Legislative Affairs

From: Diehl, Glen <(b) (6)>
Sent: Thursday, June 10, 2021 1:59 PM
To: (b) (6); LCDR USN OLA WASHINGTON DC (USA)
(b) (6); (b) (6) Lt Col USAF HAF
SAF/SAF/LLP (b) (6) (b) (6) (JT) CPT USARMY
HQDA OCLL (USA) (b) (6)
Cc: Giachetti, Dave (b) (6); Regino, Ilka
(b) (6) McConnell, Forrest
(b) (6) Kaufman, Hannah
(b) (6) Diehl, Glen (b) (6)
Subject: [Non-DoD Source] Teaching of Critical Race Theory at the Service Academies

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1. Classes - Number of classes being offered in CRT
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4. Spending – How much is being spent on the development of CRT classes at the Service Academies and how many staff are dedicated to teaching CRT?
5. Student satisfaction – Please provide comments and satisfaction surveys/polls from students evaluating these classes. Any written comments should come over as anonymous and de-identified. Survey information should be aggregated in a summary format; i.e. please summarize vs. sending us an excel spread sheet.

Lets get a turn on this by COB on 6/21. Thank you.

Glen

Glen Diehl

Professional Staff Member

Armed Services Committee

U.S. House of Representatives

(b) (6)

--

CAPT J.S. "Goat Boy" Bates
United States Naval Academy
Chief of Staff

From: [James Bates](#) on behalf of [James Bates](#) (b) (6)
To: (b) (6)
Cc: [Alana Garas](#); [Andrew Phillips](#); (b) (6); (b) (6); [LCDR USN OLA WASHINGTON DC \(USA\)](#); [F. \(b\) \(6\)](#); [Herbert Lacy](#); [Joe Thomas](#); (b) (6); (b) (6); (b) (6); [CDR USN DCNO N7 \(USA\)](#); [Steve Vahsen](#); (b) (6)
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Date: Thursday, June 10, 2021 9:00:42 PM

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(b) (5)

V/R Mike

From: (b) (6) LCDR USN OLA WASHINGTON DC (USA) (b) (6)
Sent: Thursday, June 10, 2021 3:22 PM
To: James Bates (b) (6); (b) (6)
Cc: Alana Garas (b) (6); (b) (6); (b) (6); Steve Vahsen (b) (6); Herbert Lacy (b) (6); (b) (6); (b) (6); CDR USN DCNO N7 (USA) (b) (6); (b) (6); (b) (6)
Subject: RE: [Non-DoD Source] Re: FW: Teaching of Critical Race Theory at the Service Academies

Sir,

(b) (5)

Very Respectfully,

LCDR (b) (6), PHR

(b) (6)

Office of Legislative Affairs

From: James Bates (b) (6)

Sent: Thursday, June 10, 2021 3:09 PM

To: (b) (6)

Cc: Alana Garas (b) (6); (b) (6); Steve Vahsen

(b) (6); Herbert Lacy (b) (6); (b) (6)

(b) (6) CDR USN DCNO N7 (USA) (b) (6) (b) (6) LCDR

USN OLA WASHINGTON DC (USA) <(b) (6)> (b) (6)

(b) (6)

Subject: [Non-DoD Source] Re: FW: Teaching of Critical Race Theory at the Service Academies

+ Provost Phillips and AP (b) (6)

(b) (5)

v/r - COS

On Thu, Jun 10, 2021 at 2:58 PM (b) (6) wrote:

(b) (5)

V/R (b) (6)

(b) (6)

Director Gov't Affairs

and Deputy Public Affairs Officer

U.S. Naval Academy

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From: (b) (6) LCDR USN OLA WASHINGTON DC (USA)

<(b) (6)>

Sent: Thursday, June 10, 2021 2:47 PM

To: (b) (6) CDR USN ASSTSECNAV MRA DC (USA)

<(b) (6)> (b) (6) D CAPT USN DCNO N7 (USA)

(b) (6)

Cc: (b) (6) (b) (6) J CIV USN ASSTSECNAV
MRA DC (USA) (b) (6) (b) (6)

CIV NAVY ASN (M&RA) (USA) (b) (6)

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(b) (6)

Office of Legislative Affairs

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Sent: Thursday, June
To: (b) (6) LCDR USN OLA WASHINGTON DC (USA)
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SAF/SAF/LL (b) (6) (b) (6) (JT) CPT USARMY
HQDA OCLL (USA) (b) (6)
Cc: Giachetti, Dave (b) (6) Regino, Ilka
(b) (6) McConnell, Forrest
(b) (6) Kaufman, Hannah
(b) (6) Diehl, Glen (b) (6)

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Glen

Glen Diehl

Professional Staff Member

Armed Services Committee

U.S. House of Representatives

(b) (6)

--

CAPT J.S. "Goat Boy" Bates
United States Naval Academy
Chief of Staff

From: [James Bates](#) on behalf of [James Bates](#) (b) (6)
To: [Timika Lindsay](#)
Subject: Re: A likely source of why D&I is where it is today
Date: Thursday, October 8, 2020 1:34:07 PM

Timi,

Concur and this supports your message that all D&I issues need to be coordinated or we will have a well intentioned group stray from our deliberate path to sustained accomplishment.

v/r - Goat



On Thu, Oct 8, 2020 at 8:34 AM Timika Lindsay (b) (6) wrote:
Good morning Admiral,

As I continue to ponder my/our "operational pause" in most D&I initiatives, I can't help but think of how we got here...then I remembered an article I read this summer regarding an Army training announcement that had gone terribly wrong.

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It's grave mistakes like these that put a crush on all of the good efforts we are striving for. It's unfortunate, but hopefully some clarity and common sense will prevail soon.

Very Respectfully,
Timi

CAPT Timika B. Lindsay, USN
Chief Diversity Officer
Director, Equal Employment Opportunity (EEO) (Acting)
United States Naval Academy

(b) (6)

From: [James Bates](#) on behalf of [James Bates](#) (b) (6)
To: [Wester, Richard J](#) CAPT USCG CG ACADEMY (USA)
Cc: [Jones, Otis C](#) Col USAF USAFA HQ/CV; [Weathers, Mark](#) COL
Subject: Re: follow up from call today
Date: Friday, July 23, 2021 5:45:09 PM

Otis,

Rick beat me to it, I was going to ask if I could get a copy of the Supe's email as well.

v/r - Goat

On Fri, Jul 23, 2021 at 16:28 Wester, Richard J CAPT USCG CG ACADEMY (USA)

(b) (6) wrote:

Otis: (b) (5)

Many thanks,
Rick

CAPT Rick Wester
Assistant Superintendent
U. S. Coast Guard Academy

(b) (6)

--

CAPT J.S. "Goat Boy" Bates
United States Naval Academy
Chief of Staff

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(b) (6)

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Cc: (b) (6) [Andrew Phillips](#); [Alana Garas](#); (b) (6); [Steve Vahsen](#); [Herbert Lacy](#); (b) (6) (b) (6)
Subject: Re: FW: FW: Teaching of Critical Race Theory at the Service Academies
Date: Thursday, June 10, 2021 5:03:14 PM

+ LEAD and Stockdale

(b) (5)

v/r - COS



On Thu, Jun 10, 2021 at 4:03 PM (b) (6) wrote:

(b) (5)

(b) (5)

vr

(b) (6)

(b) (6), CAPT(USN) Ret.
Associate Provost, Finance & Military Affairs
United States Naval Academy

(b) (6)

(b) (6)

*_*_*_*_*_*_*_*_*_*_*_*_*_*_*_*

We proudly develop leaders who are:
Selfless, Inspirational, Proficient, Innovative,
Articulate, Adaptable, and Professional

On Thu, 10 Jun 2021 at 15:14, (b) (6) wrote:

Provost Phillips and (b) (6) (b) (5)

R (b) (6)

From: James Bates (b) (6)

Sent: Thursday, June 10, 2021 3:09 PM

To: (b) (6)

Cc: Alana Garas (b) (6); (b) (6); Steve Vahsen

(b) (6); Herbert Lacy (b) (6) (b) (6)

(b) (6) (b) (6) CDR USN DCNO N7 (USA)

(b) (6) (b) (6) LCDR USN OLA WASHINGTON DC

(USA) (b) (6) (b) (6)

Subject: Re: FW: Teaching of Critical Race Theory at the Service Academies

+ Provost Phillips and AP (b) (6)

(b) (5)

v/r - COS



On Thu, Jun 10, 2021 at 2:58 PM (b) (6) <(b) (6)> wrote:

(b) (5)

V/R (b) (6)

(b) (6)

Director Gov't Affairs

and Deputy Public Affairs Officer

U.S. Naval Academy

(o)

(ce

(b) (6)

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(b) (6)

Sent: Thursday, June 10, 2021 2:47 PM

To: (b) (6) CDR USN ASSTSECNAV MRA DC (USA)

<(b) (6) (b) (6) CAPT USN DCNO N7 (USA)

(b) (6)

Cc: (b) (6) (b) (6) CIV USN ASSTSECNAV
MRA DC (USA) (b) (6) (b) (6)

(b) (6) CIV NAVY ASN (M&RA) (USA) (b) (6)

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(b) (6)

Office of Legislative Affairs

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Sent: Thursday, June 10, 2021 1:59 PM

To: (b) (6) LCDR USN OLA WASHINGTON DC (USA)

(b) (6) (b) (6) Col USAF HAF

SAF/SAF/LLP (b) (6) (b) (6) CPT USARMY

HQDA OCLL (USA) (b) (6)

Cc: Giachetti, Dave (b) (6) Regino, Ilka

(b) (6) (b) (6) McConnell, Forrest
(b) (6) (b) (6) ; Kaufman, Hannah
(b) (6) (b) (6) Diehl, Glen <(b) (6) (b) (6)>

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Lets get a turn on this by COB on 6/21. Thank you.

Glen

Glen Diehl

Professional Staff Member

Armed Services Committee

U.S. House of Representatives

(b) (6)

From: [James Bates](#) on behalf of [James Bates](#) (b) (6) >
To: (b) (6)
Subject: Re: FW: FYSA: Zero-based Review of Advisory Boards - litigation vs. DoD and letter from Congress
Date: Tuesday, July 20, 2021 1:10:15 PM

Tracking...thanks for the update.

v/r - COS



On Tue, Jul 20, 2021 at 1:04 PM (b) (6) wrote:

COS: FYI in case you had not see

R (b) (6)
(b) (6)
Counsel
United States Naval Academy
121 Blake Road
Annapolis, Maryland 21402-1300
Office: (b) (6)
Fax: (b) (6)

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[c.edu](#)>

F (b) (6)) CIV NAVY ASN (M&RA) (USA)

<(b) (6)>

Sent: Tuesday, July 20, 2021 11:48 AM

(b) (6) ES USN ASSTSECNAV MRA DC (USA)

(b) (6) Melillo, Michael SES ASN (M&RA)

(b) (6) (b) (6)) CAPT USN

ASSTSECNAV MRA DC (USA) (b) (6) (b) (6)

CIV USN OGC (USA) (b) (6) (b) (6) HQE USN

ASSTSECNAV MRA DC (USA) (b) (6)

C (b) (6) CAPT USN ASSTSECNAV MRA DC (USA)

<(b) (6)> ; (b) (6) GySgt (b) (6) (b) (6) (b) (6)

(b) (6) CIV USN ASSTSECNAV MRA DC (USA) (b) (6)

(b) (6) ; (b) (6) Col USMC USN (USA)

(b) (6)

(b) (6)

Subject: FYSA: Zero-based Review of Advisory Boards - litigation vs. DoD and letter from Congress

Good morning senior leaders,

FYSA the attached info from Mr. Jim Freeman (Advisory Committee Management Officer, ODA&M) regarding DoD Zero-Based Review of Advisory Board related items:

- Litigation - DoD and the Department of the Air Force are being sued by Ms. Heidi Stirrup (attached). The complaint deals with the Air Force Academy Board of Visitors (BoV), and mentions that the BoV has been unable to make decisions concerning issues (such as Critical Race Theory) due to the Zero-Based Review. Here [is a link to an article](#) that also discusses the litigation.
- Letter to SECDEF from Representative Dutch Ruppersberger (D-MD 2nd District; Chair of the US Naval Academy BoV) and Representative Steve Womack (R-AR 3rd District; Chair of the USMA BOV) requesting a meeting regarding the Zero-Based Review.

V/R,

(b) (6)

(b) (6), Ph.D.

Special Assistant for Naval Education

Director, Naval Education Division

Office of the Assistant Secretary of the Navy

(Manpower and Reserve Affairs)

1000 Navy Pentagon, Suite 4E615

Washington, DC 20350-1000

(b) (6)

O: (b) (6)

M: (b) (6)

From: [James Bates](#) on behalf of [James Bates](#) ^{(b) (6)} >
To: [Herbert Lacy](#)
Cc: [Alana Garas](#); ^{(b) (6)}; [Andrew Phillips](#); ^{(b) (6)}; ^{(b) (6)}; [Joe Thomas](#); ^{(b) (6)}
^{(b) (6)}; ^{(b) (6)}; ^{(b) (6)}; [Steve Vansen](#)
Subject: Re: Teaching of Critical Race Theory at the Service Academies
Date: Thursday, June 10, 2021 8:47:47 PM

Thank you all for your quick response. ^{(b) (5)}

v/r - COS

On Thu, Jun 10, 2021 at 18:59 Herbert Lacy ^{(b) (6)} wrote:
COS,

^{(b) (5)}

V/r,
Herb

On Thu, Jun 10, 2021 at 6:45 PM F. ^{(b) (6)} wrote:
COS

^{(b) (5)}

V/R,
^{(b) (6)}

On Jun 10, 2021, at 5:03 PM, James Bates ^{(b) (6)} wrote:

+ LEAD and Stockdale

^{(b) (5)}

v/r - COS



On Thu, Jun 10, 2021 at 4:03 PM ^{(b) (6)} wrote:

^{(b) (5)}

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We proudly develop leaders who are:
Selfless, Inspirational, Proficient, Innovative,
Articulate, Adaptable, and Professional

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(b) (6)

Herbert Lacy

(b) (6)

(b) (6)

(b) (6)

CDR

(b) (6)

(b) (6)

INGTON DC (USA)

(b) (6)

(b) (6)

Subject: Re: FW: Teaching of Critical Race Theory at the Service Academies

(b) (6)

(b) (5)

(b) (5)

v/r - COS



On Thu, Jun 10, 2021 at 2:58 PM (b) (6) wrote:

(b) (5)

V/R (b) (6)

(b) (6)

Director Gov't Affairs

and Deputy Public Affairs Officer

U.S. Naval Academy

(o) (b) (6)

(cel) (b) (6)

From: (b) (6) B LCDR USN OLA WASHINGTON DC (USA) <(b) (6)>

Sent: Thursday, June 10, 2021 2:47 PM

To: (b) (6) CDR USN ASSTSECNAV MRA DC (USA) <(b) (6)>; (b) (6) D CAPT USN DCNO N7 (USA) (b) (6)

Cc: (b) (6); (b) (6) CIV USN ASSTSECNAV MRA DC (USA) (b) (6) (b) (6) CIV NAVY ASN (M&RA) (USA) (b) (6)

Subject: FW: Teaching of Critical Race Theory at the Service Academies

Sir, Ma'am,

Please see below. Going in CIMS shortly.

Very Respectfully,

LCDR (b) (6) PHR

(b) (6)

Office of Legislative Affairs

From: Diehl, Glen <(b) (6)>
Sent: Thursday, June 10, 2021 1:59 PM
To: (b) (6) LCDR USN OLA WASHINGTON DC (USA)
(b) (6); (b) (6) Lt Col
USAF HAF SAF/SAF/LLP (b) (6); (b) (6)
(b) (6) CPT USARMY HQDA OCLL (USA)
(b) (6)
Cc: Giachetti, Dave (b) (6); Regino, Ilka
(b) (6); McConnell, Forrest
(b) (6); Kaufman, Hannah
(b) (6) Diehl, Glen
(b) (6)
Subject: Teaching of Critical Race Theory at the Service Academies

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Glen Diehl

Professional Staff Member

Armed Services Committee

U.S. House of Representatives

(b) (6)

--

V/r,
Herb

CAPT Herb Lacy, USN
Chief Diversity Officer
U.S. Naval Academy

O: (b) (6)

M: (b) (6)

(b) (6)

-
CAPT J.S. "Goat Boy" Bates
United States Naval Academy
Chief of Staff



EXECUTIVE ORDERS

Executive Order on Combating Race and Sex Stereotyping

LAW & JUSTICE

Issued on: September 22, 2020



By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Federal Property and Administrative Services Act, 40 U.S.C. 101 et seq., and in order to promote economy and efficiency in Federal contracting, to promote unity in the Federal workforce, and to combat offensive and anti-American race and sex stereotyping and scapegoating, it is hereby ordered as follows:

Section 1. Purpose. From the battlefield of Gettysburg to the bus boycott in Montgomery and the Selma-to-Montgomery marches, heroic Americans have valiantly risked their lives to ensure that their children would grow up in a Nation living out its creed, expressed in the Declaration of Independence: “We hold these truths to be self-evident, that all men are created equal.” It was this belief in the inherent equality of every individual that inspired the Founding generation to risk their lives, their fortunes, and their sacred honor to establish a new Nation, unique among the countries of the world. President Abraham Lincoln understood that this belief is “the electric cord” that “links the hearts of patriotic and liberty-loving” people, no matter their race or country of origin. It is the belief that inspired the heroic black soldiers of the 54th Massachusetts Infantry Regiment to defend that same Union at great cost in the Civil War. And it is what

inspired Dr. Martin Luther King, Jr., to dream that his children would one day “not be judged by the color of their skin but by the content of their character.”

Thanks to the courage and sacrifice of our forebears, America has made significant progress toward realization of our national creed, particularly in the 57 years since Dr. King shared his dream with the country.

Today, however, many people are pushing a different vision of America that is grounded in hierarchies based on collective social and political identities rather than in the inherent and equal dignity of every person as an individual. This ideology is rooted in the pernicious and false belief that America is an irredeemably racist and sexist country; that some people, simply on account of their race or sex, are oppressors; and that racial and sexual identities are more important than our common status as human beings and Americans.

This destructive ideology is grounded in misrepresentations of our country’s history and its role in the world. Although presented as new and revolutionary, they resurrect the discredited notions of the nineteenth century’s apologists for slavery who, like President Lincoln’s rival Stephen A. Douglas, maintained that our government “was made on the white basis” “by white men, for the benefit of white men.” Our Founding documents rejected these racialized views of America, which were soundly defeated on the blood-stained battlefields of the Civil War. Yet they are now being repackaged and sold as cutting-edge insights. They are designed to divide us and to prevent us from uniting as one people in pursuit of one common destiny for our great country.

Unfortunately, this malign ideology is now migrating from the fringes of American society and threatens to infect core institutions of our country. Instructors and materials teaching that men and members of certain races, as well as our most venerable institutions, are inherently sexist and racist are appearing in workplace diversity trainings across the country, even in components of the Federal Government and among Federal contractors. For example, the Department of the Treasury recently held a seminar that promoted arguments that “virtually all White people, regardless of how

‘woke’ they are, contribute to racism,” and that instructed small group leaders to encourage employees to avoid “narratives” that Americans should “be more color-blind” or “let people’s skills and personalities be what differentiates them.”

Training materials from Argonne National Laboratories, a Federal entity, stated that racism “is interwoven into every fabric of America” and described statements like “color blindness” and the “meritocracy” as “actions of bias.”

Materials from Sandia National Laboratories, also a Federal entity, for non-minority males stated that an emphasis on “rationality over emotionality” was a characteristic of “white male[s],” and asked those present to “acknowledge” their “privilege” to each other.

A Smithsonian Institution museum graphic recently claimed that concepts like “[o]bjective, rational linear thinking,” “[h]ard work” being “the key to success,” the “nuclear family,” and belief in a single god are not values that unite Americans of all races but are instead “aspects and assumptions of whiteness.” The museum also stated that “[f]acing your whiteness is hard and can result in feelings of guilt, sadness, confusion, defensiveness, or fear.”

All of this is contrary to the fundamental premises underpinning our Republic: that all individuals are created equal and should be allowed an equal opportunity under the law to pursue happiness and prosper based on individual merit.

Executive departments and agencies (agencies), our Uniformed Services, Federal contractors, and Federal grant recipients should, of course, continue to foster environments devoid of hostility grounded in race, sex, and other federally protected characteristics. Training employees to create an inclusive workplace is appropriate and beneficial. The Federal Government is, and must always be, committed to the fair and equal treatment of all individuals before the law.

But training like that discussed above perpetuates racial stereotypes and division and can use subtle coercive pressure to ensure conformity of viewpoint. Such ideas may be fashionable in the academy, but they have no place in programs and activities supported by Federal taxpayer dollars. Research also suggests that blame-focused diversity training reinforces biases and decreases opportunities for minorities.

Our Federal civil service system is based on merit principles. These principles, codified at 5 U.S.C. 2301, call for all employees to “receive fair and equitable treatment in all aspects of personnel management without regard to” race or sex “and with proper regard for their . . . constitutional rights.” Instructing Federal employees that treating individuals on the basis of individual merit is racist or sexist directly undermines our Merit System Principles and impairs the efficiency of the Federal service. Similarly, our Uniformed Services should not teach our heroic men and women in uniform the lie that the country for which they are willing to die is fundamentally racist. Such teachings could directly threaten the cohesion and effectiveness of our Uniformed Services.

Such activities also promote division and inefficiency when carried out by Federal contractors. The Federal Government has long prohibited Federal contractors from engaging in race or sex discrimination and required contractors to take affirmative action to ensure that such discrimination does not occur. The participation of contractors’ employees in training that promotes race or sex stereotyping or scapegoating similarly undermines efficiency in Federal contracting. Such requirements promote divisiveness in the workplace and distract from the pursuit of excellence and collaborative achievements in public administration.

Therefore, it shall be the policy of the United States not to promote race or sex stereotyping or scapegoating in the Federal workforce or in the Uniformed Services, and not to allow grant funds to be used for these purposes. In addition, Federal contractors will not be permitted to inculcate such views in their employees.

Sec. 2. Definitions. For the purposes of this order, the phrase:

(a) “Divisive concepts” means the concepts that (1) one race or sex is inherently superior to another race or sex; (2) the United States is fundamentally racist or sexist; (3) an individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously; (4) an individual should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex; (5) members of one race or sex cannot and should not attempt to treat others without respect to race or sex; (6) an individual’s moral character is necessarily determined by his or her race or sex; (7) an individual, by virtue of his or her race or sex, bears responsibility for actions committed in the past by other members of the same race or sex; (8) any individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex; or (9) meritocracy or traits such as a hard work ethic are racist or sexist, or were created by a particular race to oppress another race. The term “divisive concepts” also includes any other form of race or sex stereotyping or any other form of race or sex scapegoating.

(b) “Race or sex stereotyping” means ascribing character traits, values, moral and ethical codes, privileges, status, or beliefs to a race or sex, or to an individual because of his or her race or sex.

(c) “Race or sex scapegoating” means assigning fault, blame, or bias to a race or sex, or to members of a race or sex because of their race or sex. It similarly encompasses any claim that, consciously or unconsciously, and by virtue of his or her race or sex, members of any race are inherently racist or are inherently inclined to oppress others, or that members of a sex are inherently sexist or inclined to oppress others.

(d) “Senior political appointee” means an individual appointed by the President, or a non-career member of the Senior Executive Service (or agency-equivalent system).

Sec. 3. Requirements for the United States Uniformed Services. The United States Uniformed Services, including the United States Armed Forces, shall not teach, instruct, or train any member of the United States Uniformed Services, whether serving on active duty, serving on reserve duty, attending a military service academy, or attending courses

conducted by a military department pursuant to a Reserve Officer Corps Training program, to believe any of the divisive concepts set forth in section 2(a) of this order. No member of the United States Uniformed Services shall face any penalty or discrimination on account of his or her refusal to support, believe, endorse, embrace, confess, act upon, or otherwise assent to these concepts.

Sec. 4. Requirements for Government Contractors. (a) Except in contracts exempted in the manner provided by section 204 of Executive Order 11246 of September 24, 1965 (Equal Employment Opportunity), as amended, all Government contracting agencies shall include in every Government contract hereafter entered into the following provisions:

“During the performance of this contract, the contractor agrees as follows:

1. The contractor shall not use any workplace training that inculcates in its employees any form of race or sex stereotyping or any form of race or sex scapegoating, including the concepts that (a) one race or sex is inherently superior to another race or sex; (b) an individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously; (c) an individual should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex; (d) members of one race or sex cannot and should not attempt to treat others without respect to race or sex; (e) an individual’s moral character is necessarily determined by his or her race or sex; (f) an individual, by virtue of his or her race or sex, bears responsibility for actions committed in the past by other members of the same race or sex; (g) any individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex; or (h) meritocracy or traits such as a hard work ethic are racist or sexist, or were created by a particular race to oppress another race. The term “race or sex stereotyping” means ascribing character traits, values, moral and ethical codes, privileges, status, or beliefs to a race or sex, or to an individual because of his or her race or sex, and the term “race or sex scapegoating” means assigning fault, blame, or bias to a race or sex, or to members of a race or sex because of their race or sex.

2. The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the contractor's commitments under the Executive Order of September 22, 2020, entitled Combating Race and Sex Stereotyping, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

3. In the event of the contractor's noncompliance with the requirements of paragraphs (1), (2), and (4), or with any rules, regulations, or orders that may be promulgated in accordance with the Executive Order of September 22, 2020, this contract may be canceled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order 11246, and such other sanctions may be imposed and remedies invoked as provided by any rules, regulations, or orders the Secretary of Labor has issued or adopted pursuant to Executive Order 11246, including subpart D of that order.

4. The contractor will include the provisions of paragraphs (1) through (4) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as may be directed by the Secretary of Labor as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction, the contractor may request the United States to enter into such litigation to protect the interests of the United States."

(b) The Department of Labor is directed, through the Office of Federal Contract Compliance Programs (OFCCP), to establish a hotline and investigate complaints received under both this order as well as Executive Order 11246 alleging that a Federal contractor is utilizing such training programs in violation of the contractor's obligations

under those orders. The Department shall take appropriate enforcement action and provide remedial relief, as appropriate.

(c) Within 30 days of the date of this order, the Director of OFCCP shall publish in the Federal Register a request for information seeking information from Federal contractors, Federal subcontractors, and employees of Federal contractors and subcontractors regarding the training, workshops, or similar programming provided to employees. The request for information should request copies of any training, workshop, or similar programming having to do with diversity and inclusion as well as information about the duration, frequency, and expense of such activities.

Sec. 5. Requirements for Federal Grants. The heads of all agencies shall review their respective grant programs and identify programs for which the agency may, as a condition of receiving such a grant, require the recipient to certify that it will not use Federal funds to promote the concepts that (a) one race or sex is inherently superior to another race or sex; (b) an individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously; (c) an individual should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex; (d) members of one race or sex cannot and should not attempt to treat others without respect to race or sex; (e) an individual's moral character is necessarily determined by his or her race or sex; (f) an individual, by virtue of his or her race or sex, bears responsibility for actions committed in the past by other members of the same race or sex; (g) any individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex; or (h) meritocracy or traits such as a hard work ethic are racist or sexist, or were created by a particular race to oppress another race. Within 60 days of the date of this order, the heads of agencies shall each submit a report to the Director of the Office of Management and Budget (OMB) that lists all grant programs so identified.

Sec. 6. Requirements for Agencies. (a) The fair and equal treatment of individuals is an inviolable principle that must be maintained in the Federal workplace. Agencies should

continue all training that will foster a workplace that is respectful of all employees. Accordingly:

(i) The head of each agency shall use his or her authority under 5 U.S.C. 301, 302, and 4103 to ensure that the agency, agency employees while on duty status, and any contractors hired by the agency to provide training, workshops, forums, or similar programming (for purposes of this section, “training”) to agency employees do not teach, advocate, act upon, or promote in any training to agency employees any of the divisive concepts listed in section 2(a) of this order. Agencies may consult with the Office of Personnel Management (OPM), pursuant to 5 U.S.C. 4116, in carrying out this provision; and

(ii) Agency diversity and inclusion efforts shall, first and foremost, encourage agency employees not to judge each other by their color, race, ethnicity, sex, or any other characteristic protected by Federal law.

(b) The Director of OPM shall propose regulations providing that agency officials with supervisory authority over a supervisor or an employee with responsibility for promoting diversity and inclusion, if such supervisor or employee either authorizes or approves training that promotes the divisive concepts set forth in section 2(a) of this order, shall take appropriate steps to pursue a performance-based adverse action proceeding against such supervisor or employee under chapter 43 or 75 of title 5, United States Code.

(c) Each agency head shall:

(i) issue an order incorporating the requirements of this order into agency operations, including by making compliance with this order a provision in all agency contracts for diversity training;

(ii) request that the agency inspector general thoroughly review and assess by the end of the calendar year, and not less than annually thereafter, agency compliance with the requirements of this order in the form of a report submitted to OMB; and

(iii) assign at least one senior political appointee responsibility for ensuring compliance with the requirements of this order.

Sec. 7. OMB and OPM Review of Agency Training. (a) Consistent with OPM's authority under 5 U.S.C. 4115-4118, all training programs for agency employees relating to diversity or inclusion shall, before being used, be reviewed by OPM for compliance with the requirements of section 6 of this order.

(b) If a contractor provides a training for agency employees relating to diversity or inclusion that teaches, advocates, or promotes the divisive concepts set forth in section 2(a) of this order, and such action is in violation of the applicable contract, the agency that contracted for such training shall evaluate whether to pursue debarment of that contractor, consistent with applicable law and regulations, and in consultation with the Interagency Suspension and Debarment Committee.

(c) Within 90 days of the date of this order, each agency shall report to OMB all spending in Fiscal Year 2020 on Federal employee training programs relating to diversity or inclusion, whether conducted internally or by contractors. Such report shall, in addition to providing aggregate totals, delineate awards to each individual contractor.

(d) The Directors of OMB and OPM may jointly issue guidance and directives pertaining to agency obligations under, and ensuring compliance with, this order.

Sec. 8. Title VII Guidance. The Attorney General should continue to assess the extent to which workplace training that teaches the divisive concepts set forth in section 2(a) of this order may contribute to a hostile work environment and give rise to potential liability under Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e et seq. If appropriate, the Attorney General and the Equal Employment Opportunity Commission shall issue publicly available guidance to assist employers in better promoting diversity and inclusive workplaces consistent with Title VII.

Sec. 9. Effective Date. This order is effective immediately, except that the requirements of section 4 of this order shall apply to contracts entered into 60 days after the date of this order.

Sec. 10. General Provisions. (a) This order does not prevent agencies, the United States Uniformed Services, or contractors from promoting racial, cultural, or ethnic diversity or inclusiveness, provided such efforts are consistent with the requirements of this order.

(b) Nothing in this order shall be construed to prohibit discussing, as part of a larger course of academic instruction, the divisive concepts listed in section 2(a) of this order in an objective manner and without endorsement.

(c) If any provision of this order, or the application of any provision to any person or circumstance, is held to be invalid, the remainder of this order and the application of its provisions to any other persons or circumstances shall not be affected thereby.

(d) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department, agency, or the head thereof;
or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(e) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(f) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

THE WHITE HOUSE,
September 22, 2020.